

Natural England Consultation on General Licences

Please use this form to reply to the General Licence consultation. This document also includes a general feedback form.

Responses may be returned by email to: wildlifeconsultation@naturalengland.org.uk

We would prefer responses to be submitted electronically but if you prefer to respond in writing, please submit your response to: Natural England General Licences Consultation, c/o Dr Edel McGurk, Natural England, Government Buildings, Otley Road, Lawnswood, Leeds. LS16 5QT.

Organisation	Hawk Board
Respondee Name	Nick Kester

The following table lists all of the questions posed in the consultation document. For each question, please indicate whether you support the proposal using the tick boxes, and provide an explanation and evidence in support of your view in the space provided. Where you do not have a view on a particular proposal, please tick 'No Comment'.

The form is designed to be completed on screen; free text boxes will expand as you type.

Confidentiality

We will respect requests for confidentiality. If you wish the information you provide to be treated as confidential, please record your request below; it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Responses to Proposals

THEME: Obligations to Protected Sites

Question 1: Do you agree with Natural England's proposal to address this concern by drawing attention to the existing obligations on Statutory Undertakers?

Yes No No Comment

Falconry is low or nil impact when compared with other methods covered by the licences. We would take issue with restrictions on protected areas (SSSI sites), especially those whose designation is flora based, during periods when falconry has a negligible impact. This is especially the case if only the protected area (SSSI) is off-bounds but its very presence on an area where falconry in general was permitted could thus render our activity in breach of the regulations. We believe such restrictions to be draconian and restrictive for permitted falconry.

THEME: Non-Native Species

Question 2: Do you agree with our proposal to use regulatory measures to facilitate the control or invasive non-native species?

Yes No No Comment

We contend that in many cases falconry is an ideal and effective approach to certain non-native species and that it should be encouraged and supported wherever possible.

Question 3.1: Do you agree with our proposal to add Ring-necked and Monk Parakeets to the general licence issued for the purpose of conserving wild birds (s.16(1)(c) of the Wildlife and Countryside Act 1981)?

Yes No No Comment

See 2 above

Question 3.2: Do you agree with our proposal to add Canada Geese and Egyptian Geese to the general licence issued for the purpose of conserving wild birds (s.16(1)(c) of the Wildlife and Countryside Act 1981)?

Yes No No Comment

Question 4.1: Do you agree with our proposal to permit the killing/taking of Ring-necked and Monk Parakeet species for the purpose of preventing serious damage to crops, etc (s.16(1)(k) of the Wildlife and Countryside Act 1981)?

Yes No No Comment

See 2 above

Question 4.2: Do you agree with our proposal to issue a separate licence for this purpose for invasive non-native species?

Yes No No Comment

Question 5.1: Do you agree with our proposal to permit the killing/taking of Monk Parakeet species under a general licence for the purpose of preserving public health or public or air safety (s.16(1)(i) of the Wildlife and Countryside Act 1981)?

Yes No No Comment

See 2 above

Question 5.2: Do you agreed with our proposal to issue a separate licence for this purpose for invasive, non-native species?

Yes No No Comment

THEME – Review of species listed

Question 6.1: Do you agree that Great Black-backed Gull should only be listed on the general licence permitting take/kill birds for the purpose of preserving air safety? Please provide evidence in support of your view.

Yes No No Comment

The Great Black-backed Gull is a traditional quarry species for falconry and is a recognised agricultural, human health and wild bird threat. It should be retained on the permitted list for all falconry activities. The issue of human health as it relates to rubbish tips is a particular problem. In such instances, a falconer may obtain a licence to fly falcons at gulls but he will need to train the falcon off site on the chosen quarry – presumably in breach of regulations – and if the gull that is flown on the rubbish tip is subsequently killed off site, we assume the same breach will occur. We would contend for this, and all species traditionally flown at by trained birds of prey, that a general derogation be permitted to cover our sport. It is universally acknowledged that falconry is a low-impact activity and that has no detrimental effect on any species listed on the open general licences.

Question 6.2: Do you agree that the Herring Gull should only be listed on the general licences

<p>permitting</p>
<p>a. the killing/taking of birds for the purpose of preserving air safety? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No Comment <input type="checkbox"/></p>
<p>b. the destruction of eggs and nests for the purpose of preserving public health and public safety? Please provide evidence in support of your view. Yes <input type="checkbox"/> No <input type="checkbox"/> No Comment <input checked="" type="checkbox"/></p>
<p>See all comments relating to the black backed gull above.</p>
<p>Question 7.1 Do you agree with our proposal to issue a limited general licence permitting the taking/killing of House sparrow, Starling, Robin and Blackbird in food production/handling premises for the purpose of preserving public health or public safety (s.16(1)(i) of the Wildlife and Countryside Act 1981)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No Comment <input type="checkbox"/></p>
<p>Yes, but the licence should also be extended to agricultural premises. Falconers may apply separately for special licences to take sparrow, starling and blackbird which are issued on a case by case basis. However, many farmers seek the services of falconers for the control of these species and it would be helpful if they could do so under these open general licences.</p>
<p>Question 7.2 If such a licence is issued, do you agree that it is appropriate to require users of the licence to register their first use of the licence with Natural England and to keep written records of action taken under the licence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No Comment <input type="checkbox"/></p>
<p>This would be onerous bureaucracy and represents another layer of excessive regulation that contradicts the general principle of the general licence.</p>
<p>THEME – Sales of birds</p>
<p>Question 8.1: Do you agree with the proposal to consolidate the sales licences? Yes <input type="checkbox"/> No <input type="checkbox"/> No Comment <input checked="" type="checkbox"/></p>
<p>Not applicable to falconry species</p>
<p>Question 8.2: Do you agree with the proposal to continue to allow the birds listed on the appendix (and their eggs) to be sold without a ring? Yes <input type="checkbox"/> No <input type="checkbox"/> No Comment <input checked="" type="checkbox"/></p>
<p>Not applicable to falconry species</p>

Question 8.3: Is the list of species that are exempt from ringing correct (see draft licence for list)?
If you disagree, please state why and provide evidence.

Yes No No Comment

Not applicable to falconry species

Question 9.1: Do you agree with our proposal that no species be excluded from sale under the general licence on the grounds of risks to their conservation status from illegal take from the wild? If you disagree, please provide grounds and evidence for your position? If you do disagree, please provide grounds and evidence for your position.

Yes No No Comment

Not applicable to falconry species

Question 9.2: Do you agree that Ruddy Duck and Egyptian Goose should continue to be excluded from the general licence permitting sales on the grounds of potential risks to native species, and that Canada Goose should be added to the list of exclusions?

Yes No No Comment

Not applicable to falconry species

Question 9.3: Do you agree that sales of Eagle Owls under the general licence should be subject to a registration scheme on the grounds of potential risks to native species?

Yes No No Comment

We take issue with the premise that this will assist or enhance any programme of controlling risk to native species.

Firstly, there is mixed opinion as to whether the Eagle Owl is or is not a native species. Secondly, there already exists a registration of owls bred via the European Cites permits (Article 10 certificate) managed by Animal Health (Defra) on behalf of all devolved legislations. To add an extra, largely unenforceable layer on top of a functioning system is absurd. Such additional legislation does not exist in Scotland or Wales, yet lost or escaped raptors do not recognise regional boundaries so the rules have no purpose.

It is also directly in contradiction with Defra regulations permitting the keeping and flying of all raptors (with a small number of exceptions) without registration. This includes non-native hawks and falcons (including hybrids) and most native raptors. This is currently law

in England and will become law in Wales and Scotland during April.

Background: In 1981 all raptors were required to be registered under the Wildlife & Countryside Act; this was initially relaxed in 1994, and now – in falconry terms – has been further reduced so that only two falconry species are retained.

Question 9.4: Do you believe that other bird species should be added to this list of exclusions on the grounds of potential risks to native species? Please consider the possible candidates suggested above; you may suggest other species and explain why, providing evidence.

Yes No No Comment

Question 10: Do you agree with our proposal that sales of dead Barnacle Goose and White-fronted Goose (Greenland race) be permitted under the general licence?

Yes No No Comment

Question 11.1: Do you agree that Natural England should provide guidance on what might constitute suitable documentary evidence?

Yes No No Comment

Question 11.2: Do you agree that the wording we propose is appropriate? If not, please provide alternative wording.

Yes No No Comment

THEME – Understanding and awareness of the general licences & their conditions

Question 12.1 Do you believe that there is sufficient widespread understanding of the General Licences, the circumstances in which they may be used and the conditions that apply. Please provide evidence in support of your answer where possible.

Yes No No Comment

We believe the general licences as they apply to falconry species are complex, clumsy, ill-considered and localised, whereas falconry is a national pastime and birds of prey do not recognise boundaries. A falcon flown under the terms of a licence in Herefordshire could kill

quarry in Powys and contravene a Welsh licence. We would seek fuller, personal consultation with all three devolved governments for a falconry specific licence that covers all our activities under the terms of the Open General Licences, recognises the non-detrimental impact of our sport, and permits us to carry on our sport without fear of an unwitting breach. It is not appropriate within the scope of this consultation to detail how this might be achieved but we would like our request recorded and acted upon. The author of this submission has the full authority of the Hawk Board to make this request and seeks a positive response from English Nature.

Question 12.2 Do you have any suggestions as to how we could raise the level of awareness?

Should the comments in 12.1 be acted upon the Hawk Board through its many avenues will undertake to reach all UK falconers advising them of the proposals and what is needed to comply with them

Please scroll down to the next part of this form if you wish to provide us with general feedback on this consultation package and exercise.